

It is noted that both of these prior art documents are concerned only with voice recognition over a telecommunications network whereas the present invention as recited explicitly in all of the pending and new claims is concerned with the detection of anomalies which are often defined as irregular or abnormal occurrences (such as fraudulent activity). Thus the prior art cited by the Examiner is concerned with recognizing patterns in digitized data streams representing speech which is in absolute contrast with the present invention which is concerned with detecting irregularities or abnormalities (i.e. disruptions in patterns) in an otherwise normal sequence of messages.

Thus not only is the prior art cited by the Examiner in a different technical field to that of the present invention but it teaches the reverse of the present invention. The skilled artisan would see no connection whatsoever between time and frequency domain analyses of digitized voice data and the detection of anomalies such as fraud in a sequence of messages.

Additionally it is noted that not only would the skilled artisan see no reason to arrive at the invention as explicitly recited in the claims of the present claims, based on the teachings of Hunt and Gillick, but Hunt and Gillick simply do not teach anomaly detection. Thus even a combination of the teaching of these documents as proposed by the Examiner does not result in apparatus and methods falling within the present claims of this application.

Claim Rejection under 35 USC § 101

The extract from Merriams Webster's Collegiate Dictionary referred to by the Examiner defines an entity as being a thing which has attributes. It is noted that the definition makes it clear that the term "entity" does not include the attributes of an entity but nevertheless makes it clear that an entity has attributes. However the Examiner's assertion that the word "entity" as used in claims 1, 12 and 13 is the use of the word abstract from any particular attributes is respectfully traversed. The "entity" as recited in these claims has the ability to transmit messages over a given time period and thus it has the attributes of being able to transmit for longer than an instant. The transmission of messages is a technical occurrence and furthermore is a concrete occurrence.

The Examiner comments that it is not clear what entity is limited to. It is noted that in for example the State Street Bank case it was considered appropriate to limit the claims to financial transactions. It was appropriate in that case because the State Street Bank invention was itself related to financial transactions. The present invention has applications

for example in credit card fraud and fraudulent use of telecommunications equipment. It is respectfully submitted that the Examiner is expecting the applicant to unreasonably limit the scope of the claims to be narrower than the true scope of the invention based on a particular interpretation of the case law. The applicant does not agree with the Examiner's interpretation of the case law and does not therefore consider it necessary to define entity in the narrow way envisaged by the Examiner.

The Examiner questions whether "anomalies" are supposed to be anomalous time domain signatures in analogue speak-dependent voice data. As noted above, the applicant does not agree that the voice verification aspects of the prior art are indeed anomalies. Furthermore, for the reasons given above in connection with entity, it is not accepted that anomaly should be more narrowly defined as envisaged by the Examiner.

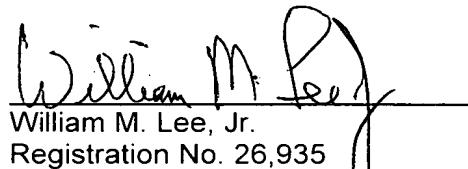
In this regard, the Examiner's particular attention is drawn to claims 30-45 which it is believed deal with the Examiner's concerns under Section 101. However, it is to be noted that these claims are likely to be of narrower scope than the preceding claims and that if forced to rely only on these claims. Applicant will have been unfairly deprived of the benefit of a significant part of its invention.

An appropriate petition for extension of time is submitted herewith, and since the number of claims has been increased beyond that previously paid (27 total claims, 6 independent), the additional fee is also tendered.

In view of the above, it is submitted that allowance is now in order.

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Respectfully submitted,



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